

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-10400

Charles Brown

v.

Biogen Idec Inc.

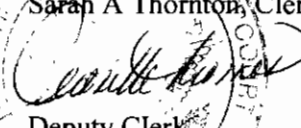
CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

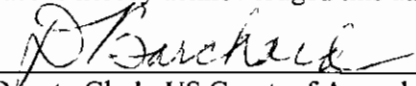
1-118

and contained in I-V Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 10/15/2007.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 24, 2007.

Sarah A Thornton, Clerk of Court
By  Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/24/07.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CONSOLIDATED

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-10400-WGY
Internal Use Only**

Brown v. Biogen Idec Inc. et al
Assigned to: Judge William G. Young
Cause: 15:78m(a) Securities Exchange Act

Date Filed: 03/02/2005
Date Terminated: 09/14/2007
Jury Demand: Plaintiff
Nature of Suit: 850
Securities/Commodities
Jurisdiction: Federal Question

Plaintiff

Charles Brown

*Individually and on Behalf of All Others
Similarly Situated*

represented by **David Pastor**

Gilman and Pastor, LLP
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Plaintiff

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represented by **Shannon L. Hopkins**

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Plaintiff

Biogen Institutional Investor Group

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Plaintiff

London Pensions Fund Authority

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Plaintiff

**National Elevator Industry Pension
Fund**

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Theodore M. Hess-Mahan
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TERMINATED: 01/08/2007
ATTORNEY TO BE NOTICED

Thomas G. Shapiro
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Cary Grill
*Individually and On Behalf of All
Others Similarly Situated*

represented by **David Pastor**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Lead Plaintiffs

represented by **Nancy F. Gans**
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ATTORNEY TO BE NOTICED

V.

Defendant

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Matthew J. Matule
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Michael S. Hines
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Defendant

James Mullen

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Matthew J. Matule
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Michael S. Hines
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ATTORNEY TO BE NOTICED

Defendant

Lead Plaintiffs

Defendant

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represented by **James R. Carroll**
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Defendant

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Michael S. Hines
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Defendant

William Rohn

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ATTORNEY TO BE NOTICED

Michael S. Hines
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LEAD ATTORNEY
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Movant

**Louisiana School Employees'
 Retirement System**

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 & Pucillo
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 Fax: 617-542-1194
 Email: jblock@bermanesq.com
ATTORNEY TO BE NOTICED

Movant

**Municipal Police Employees'
 Retirement System of Louisiana**

represented by **Jeffrey C Block**
 (See above for address)
ATTORNEY TO BE NOTICED

Movant

Attorney Nancy Freeman Gans

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 03/02/2005 | <u>1</u> | COMPLAINT against Biogen Idec Inc., William Rastetter, James Mullen Filing fee: \$ 250, receipt number 62435, filed by Charles Brown. (Attachments: # <u>1</u> Part 2 of Complaint (2) Civil Cover Sheet (3) Category Sheet)(Stanhope, Don) (Entered: 03/04/2005) |
| 03/02/2005 | <u>2</u> | If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Stanhope, Don) (Entered: 03/04/2005) |
| 03/02/2005 | <u>3</u> | Summons Issued as to Biogen Idec Inc., William Rastetter, James Mullen. (Stanhope, Don) (Entered: 03/04/2005) |
| 04/05/2005 | <u>2</u> | NOTICE of Appearance by James R. Carroll on behalf of all defendants (Carroll, James) (Entered: 04/05/2005) |
| 04/05/2005 | <u>3</u> | STIPULATION And Order Extending Time To Respond To Complaint by Charles Brown, Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 04/05/2005) |










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| 04/05/2005 | <u>4</u> | CORPORATE DISCLOSURE STATEMENT by Biogen Idec Inc.. (Carroll, James) (Entered: 04/05/2005) |
| 04/06/2005 | | Judge Reginald C. Lindsay : Electronic ORDER entered. Granting <u>3</u> Joint Stipulation Extending Time to Respond to Complaint filed by James Mullen., Biogen Idec Inc., Charles Brown., William Rastetter, (Stanhope, Don) (Entered: 04/06/2005) |
| 04/12/2005 | <u>5</u> | SUMMONS Returned Executed Biogen Idec Inc. served on 3/16/2005, answer due 4/5/2005. (Pastor, David) (Entered: 04/12/2005) |
| 04/12/2005 | <u>6</u> | SUMMONS Returned Executed William Rastetter served on 3/16/2005, answer due 4/5/2005. (Pastor, David) (Entered: 04/12/2005) |
| 04/12/2005 | <u>7</u> | SUMMONS Returned Executed James Mullen served on 3/16/2005, answer due 4/5/2005. (Pastor, David) (Entered: 04/12/2005) |
| 05/02/2005 | <u>8</u> | MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel</i> by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana.(Block, Jeffrey) (Entered: 05/02/2005) |
| 05/02/2005 | <u>9</u> | MEMORANDUM in Support re <u>8</u> MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel</i> filed by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana. (Block, Jeffrey) (Entered: 05/02/2005) |
| 05/02/2005 | <u>10</u> | DECLARATION re <u>8</u> MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel</i> , <u>9</u> Memorandum in Support of Motion. by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F)(Block, Jeffrey) (Entered: 05/02/2005) |
| 05/02/2005 | <u>11</u> | Proposed Document(s) submitted by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana. Document received: [PROPOSED] Order Consolidating Related Cases And Appointing Lead Plaintiff, Lead Counsel and Liaison Counsel. (Block, Jeffrey) (Entered: 05/02/2005) |
| 05/02/2005 | <u>12</u> | CERTIFICATE OF SERVICE by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana re <u>8</u> MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel</i> , <u>9</u> Memorandum in Support of Motion., <u>10</u> Declaration., <u>11</u> Proposed Document(s) submitted, Proposed Document(s) submitted. (Block, Jeffrey) (Entered: 05/02/2005) |
| 05/02/2005 | <u>13</u> | MOTION to Consolidate Cases <i>Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of</i> |

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| | | <i>Selection of Lead Counsel</i> by Rochelle Lobel.(Brooks, Douglas) (Entered: 05/02/2005) |
| 05/02/2005 | <u>14</u> | MEMORANDUM in Support re <u>13</u> MOTION to Consolidate Cases <i>Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> filed by Rochelle Lobel. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u>)(Brooks, Douglas) (Entered: 05/02/2005) |
| 05/02/2005 | <u>15</u> | AFFIDAVIT of Michael J. Klein by Rochelle Lobel. (Brooks, Douglas) (Entered: 05/02/2005) |
| 05/02/2005 | <u>16</u> | Proposed MOTION for Order to (I) Consolidating All Relating Actions; (II) Appointing Rochelle Lobel as Lead Plaintiff; and (III) Approving Lead Plaintiff's Selection of Lead Counsel by Rochelle Lobel.(Brooks, Douglas) (Entered: 05/02/2005) |
| 05/02/2005 | <u>17</u> | MOTION to Consolidate Cases . <i>for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> by Biogen Institutional Investor Group.(Gans, Nancy) (Entered: 05/02/2005) |
| 05/02/2005 | <u>18</u> | MEMORANDUM in Support re <u>17</u> MOTION to Consolidate Cases , <i>for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> filed by Biogen Institutional Investor Group. (Gans, Nancy) (Entered: 05/02/2005) |
| 05/02/2005 | <u>19</u> | DECLARATION of Nancy Freeman Gans in Support of the Motion of the Biogen Institutional Investor Group for Consolidation, Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel by Biogen Institutional Investor Group. (Gans, Nancy) (Entered: 05/02/2005) |
| 05/02/2005 | <u>20</u> | NOTICE by Biogen Institutional Investor Group of Filing with Clerk's Office of the Exhibits to the Declaration of Nancy Freeman Gans in Support of the Motion of the Biogen Institutional Investor Group for Consolidation, Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel (Gans, Nancy) (Entered: 05/02/2005) |
| 05/02/2005 | <u>21</u> | Proposed Document(s) submitted by Biogen Institutional Investor Group. Document received: [Proposed] Order Consolidating the Actions, Appointing Lead Plaintiff, and Approving Selection of Co-Lead Counsel and Liaison Counsel. (Gans, Nancy) (Entered: 05/02/2005) |
| 05/02/2005 | <u>22</u> | MOTION to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Hess-Mahan, Theodore) (Entered: 05/02/2005) |

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| 05/02/2005 | <u>23</u> | DECLARATION re <u>22</u> MOTION to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel (In Support)</i> by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E)(Hess-Mahan, Theodore) (Entered: 05/02/2005) |
| 05/02/2005 | <u>24</u> | MEMORANDUM in Support re <u>22</u> MOTION to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Hess-Mahan, Theodore) (Entered: 05/02/2005) |
| 05/02/2005 | <u>25</u> | CERTIFICATE OF SERVICE by London Pensions Fund Authority, National Elevator Industry Pension Fund re <u>22</u> MOTION to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel.</i> (Hess-Mahan, Theodore) (Entered: 05/02/2005) |
| 05/03/2005 | | Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>8</u> Motion to Consolidate Cases, denying <u>13</u> Motion to Consolidate Cases, denying <u>16</u> Motion for Order, denying <u>22</u> Motion to Consolidate Cases without prejudice because the moving party has failed to comply with Local Rule 7.1. (Hourihan, Lisa) (Entered: 05/03/2005) |
| 05/05/2005 | | Notice of correction to docket made by Court staff. Motion to Consolidate (entry #22) was denied in error. Motion pending as of the date it was originally filed. (Hourihan, Lisa) (Entered: 05/05/2005) |
| 05/13/2005 | <u>26</u> | MEMORANDUM in Support re <u>8</u> MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel [THE LOUISIANA FUNDS MEMORANDUM CONCERNING THEIR MOTION FOR ENTRY OF AN ORDER CONSOLIDATING ALL RELATED ACTIONS, APPOINTING THE LOUISIANA FUNDS AS THE LEAD PLAINTIFFS AND APPROVING THEIR SELECTION OF LEAD COUNSEL]</i> filed by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana. (Block, Jeffrey) (Entered: 05/13/2005) |
| 05/13/2005 | <u>27</u> | CERTIFICATE OF SERVICE by Louisiana School Employees' Retirement System, Municipal Police Employees' Retirement System of Louisiana re <u>26</u> Memorandum in Support of Motion... (Block, Jeffrey) (Entered: 05/13/2005) |
| 05/16/2005 | <u>28</u> | RESPONSE to Motion re <u>8</u> MOTION to Consolidate Cases <i>For Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel</i> filed by Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 05/16/2005) |
| 05/16/2005 | <u>29</u> | RESPONSE to Motion re <u>13</u> MOTION to Consolidate Cases <i>Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities</i> |

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| | | <i>Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> filed by Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 05/16/2005) |
| 05/16/2005 | <u>30</u> | RESPONSE to Motion re <u>17</u> MOTION to Consolidate Cases , for <i>Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> filed by Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 05/16/2005) |
| 05/16/2005 | <u>31</u> | RESPONSE to Motion re <u>22</u> MOTION to Consolidate Cases and for <i>Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> filed by Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 05/16/2005) |
| 05/16/2005 | <u>32</u> | MEMORANDUM in Support re <u>17</u> MOTION to Consolidate Cases , for <i>Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel (Memo in FURTHER Support) and in Opposition to the Other Motions</i> filed by Biogen Institutional Investor Group. (Gans, Nancy) (Entered: 05/16/2005) |
| 05/16/2005 | <u>33</u> | DECLARATION of Nancy Freeman Gans in Further Support of the <i>Motion of the Biogen Institutional Investor Group for Consolidation, Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel and in Opposition to the Other Motions</i> by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Gans, Nancy) (Entered: 05/16/2005) |
| 05/16/2005 | <u>34</u> | RESPONSE to Motion re <u>8</u> MOTION to Consolidate Cases For <i>Appointment As Lead Plaintiff, And for Approval of Its Selection of Lead Counsel, 13</i> MOTION to Consolidate Cases <i>Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel, 16</i> Proposed MOTION for Order to (I) Consolidating All Relating Actions; (II) Appointing Rochelle Lobel as Lead Plaintiff; and (III) Approving Lead Plaintiff's Selection of Lead Counsel, <u>17</u> MOTION to Consolidate Cases , for <i>Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Hess-Mahan, Theodore) (Entered: 05/16/2005) |
| 05/16/2005 | <u>35</u> | AFFIDAVIT of Theodore M. Hess-Mahan in Support re <u>22</u> MOTION to Consolidate Cases and for <i>Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I)(Hess-Mahan, Theodore) (Entered: 05/16/2005) |
| 05/16/2005 | <u>36</u> | CERTIFICATE OF SERVICE by London Pensions Fund Authority, National Elevator Industry Pension Fund re <u>35</u> Affidavit in Support of |

| | | |
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| | | Motion,, <u>34</u> Response to Motion,,,. (Hess-Mahan, Theodore) (Entered: 05/16/2005) |
| 06/01/2005 | <u>37</u> | NOTICE of Change of Address by David Pastor (Pastor, David) (Entered: 06/01/2005) |
| 06/01/2005 | <u>38</u> | MOTION for Leave to File <i>Reply Brief and Reply Affidavit of Neil Kazaross in Further Support of Its Motion for Consolidation, Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel (ASSENTED TO)</i> by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Exhibit 1 (Reply Memorandum of Law)# <u>2</u> Exhibit A (to Reply Memorandum)# <u>3</u> Exhibit B (to Reply Memorandum)# <u>4</u> Exhibit 2 (Reply Affidavit of Neil Kazaross))(Gans, Nancy) (Entered: 06/01/2005) |
| 06/01/2005 | <u>39</u> | Assented to MOTION for Leave to File <i>Reply Memorandum in Further Support of Motion for Appointment as Lead Plaintiffs and Approval of Selection of Lead Counsel</i> by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Reply Memorandum# <u>2</u> Affidavit Reply Declaration of Theodore M Hess-Mahan# <u>3</u> Exhibit A# <u>4</u> Exhibit B# <u>5</u> Exhibit C# <u>6</u> Exhibit D# <u>7</u> Exhibit E)(Hess-Mahan, Theodore) (Entered: 06/01/2005) |
| 06/02/2005 | <u>40</u> | MOTION for Leave to Appear Pro Hac Vice by Mario Alba, Jr. by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Certification of Good Standing)(Hess-Mahan, Theodore) (Entered: 06/02/2005) |
| 06/03/2005 | | Filing fee: \$ 50.00. receipt number 64705 regarding Motion to appear pro hac vice doc. #40...for Mario Alba Jr. (Catino, Theresa) (Entered: 06/08/2005) |
| 06/06/2005 | <u>41</u> | Judge Reginald C. Lindsay : ORDER entered. REFERRING CASE to Magistrate Judge Marianne B. Bowler Referred for: Case Managment and Dispositive Motions(Hourihan, Lisa) (Entered: 06/06/2005) |
| 06/09/2005 | <u>42</u> | MOTION to Submit Supplemental Authority Relevant to Its Motion for Consolidation, Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Co-Lead and Liaison Counsel by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Exhibit A (Elan Order))(Gans, Nancy) (Entered: 06/09/2005) |
| 06/10/2005 | | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>40</u> Motion for Leave to Appear Pro Hac Vice Added Mario Alba, Jr for London Pensions Fund Authority and National Elevator Industry Pension Fund ...added atty Alba... (Catino, Theresa) (Entered: 06/10/2005) |
| 06/23/2005 | <u>43</u> | RESPONSE to Motion re <u>42</u> MOTION to Submit Supplemental Authority Relevant to Its Motion for Consolidation. Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Co-Lead and Liaison Counsel filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A)(Hess-Mahan, |










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| | | Theodore) (Entered: 06/23/2005) |
| 07/01/2005 |  | Judge Marianne B. Bowler: Electronic ORDER entered granting <u>38</u> Motion for Leave to File; granting <u>39</u> Motion for Leave to File and granting <u>42</u> Motion. (Bowler, Marianne) (Entered: 07/01/2005) |
| 07/01/2005 |  | NOTICE of Hearing on Motion; <u>17</u> Biogen Institutional Investor Group's Motion to Consolidate Cases , <i>for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> and <u>22</u> London Pensions Fund Authority and National Elevator Industry Pension Fund's Motion to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> ; Motion hearing set for 7/15/2005 at 10:00 AM in Courtroom 25 before Magistrate Judge Marianne B. Bowler. (Saccoccio, Dianalynn) (Entered: 07/01/2005) |
| 07/07/2005 |  | <u>44</u> NOTICE of Appearance by Thomas G. Shapiro on behalf of London Pensions Fund Authority, National Elevator Industry Pension Fund (Shapiro, Thomas) (Entered: 07/07/2005) |
| 07/11/2005 |  | <u>45</u> Assented to MOTION to Re-Schedule the Motion Hearing by Biogen Institutional Investor Group.(Gans, Nancy) (Entered: 07/11/2005) |
| 07/13/2005 |  | Judge Marianne B. Bowler: Electronic ORDER entered granting <u>45</u> Motion to Re-Schedule until July 21, 2005 at 2:00 p.m. (Bowler, Marianne) (Entered: 07/13/2005) |
| 07/13/2005 |  | Set/Reset Deadlines; <u>17</u> Motion to Consolidate Cases , <i>for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> and <u>22</u> MOTION to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> ; Motion hearing reset for 7/21/2005 at 2:00 PM in Courtroom 25 before Magistrate Judge Marianne B. Bowler. (Saccoccio, Dianalynn) (Entered: 07/13/2005) |
| 07/20/2005 |  | <u>46</u> MOTION for Leave to Appear Pro Hac Vice by Richard H. Weiss; Sanford P. Dumain; Ann M. Lipton; Robert N. Cappucci by Nancy Freeman Gans. (Attachments: # <u>1</u> Appendix Weiss Certification# <u>2</u> Appendix Dumain Certification# <u>3</u> Appendix Lipton Certification# <u>4</u> Appendix Cappucci Certification)(Gans, Nancy) (Entered: 07/20/2005) |
| 07/20/2005 |  | Filing fee: \$ 200.00, receipt number 65709 regarding Motion for pro hac vice doc. #46 (Catino, Theresa) (Entered: 08/29/2005) |
| 07/21/2005 |  | Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Motion hearing held on 7/21/2005; <u>8</u> Motion to Consolidate Cases <i>For Appointment As Lead Plaintiff and for Approval of Its Selection of Lead Counsel</i> filed by Louisiana School Employees' Retirement System and Municipal Police Employees' Retirement System of Louisiana, <u>13</u> Motion to Consolidate Cases <i>Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel</i> filed by Rochelle Lobel, |

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| | | <u>22</u> Motion to Consolidate Cases <i>and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel</i> filed by London Pensions Fund Authority and National Elevator Industry Pension Fund and <u>17</u> Motion to Consolidate Cases , <i>for Appointment of Lead Plaintiff and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel</i> filed by Biogen Institutional Investor Group: The court hears argument on the motions and takes the matter under advisement. (Tape #Digital.) (Saccoccio, Dianalynn) (Entered: 07/22/2005) |
| 07/26/2005 | <u>47</u> | Magistrate Judge Marianne B. Bowler: Memorandum and Order: <u>13</u> Motion to Consolidate Cases Appointment as Lead Plaintiff Pursuant to sect. 21D(A)(3)(B) of the Securities Exchange Act of 1934 and Approval of Selection of Lead Counsel by Rochelle Lobel. <u>17</u> Motion to Consolidate Cases, for Appointment of Lead Plaintiff. and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel by Biogen Institutional Investor Group and <u>22</u> MOTION to Consolidate Cases and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel by London Pensions Fund Authority and National Elevator Industry Pension Fund; ORDER entered; Rochelle Lobel's motion to consolidate, appoint lead plaintiff and approve her selection of lead counsel (Docket Entry # 13) is DENIED except to the extent that this court ORDERS the consolidation of Civil Action Numbers 05-10400-RCL, 05-10453-RCL and 05-10801-RCL. Having allowed a limited period of discovery, this court will conduct a further hearing on the motions to appoint lead plaintiff and lead and liaison counsel filed by London and the Biogen Institutional Investor Group (Docket Entry ## 17 & 22) at 2:30 p.m. on August 8, 2005. (Saccoccio, Dianalynn) (Entered: 07/27/2005) |
| 08/01/2005 | <u>48</u> | Joint MOTION to Change Hearing Date (<i>UNOPPOSED</i>) by Biogen Institutional Investor Group, London Pensions Fund Authority.(Gans, Nancy) (Entered: 08/01/2005) |
| 08/01/2005 | | Judge Marianne B. Bowler: Electronic ORDER entered finding as moot <u>46</u> Motion for Leave to Appear Pro Hac Vice and granting <u>48</u> Motion to Change Hearing Date. The hearing is continued to September 12, 2005 at 2:30 p.m. (Bowler, Marianne) (Entered: 08/01/2005) |
| 09/07/2005 | <u>49</u> | TRANSCRIPT of Motion Hearing held on July 21, 2005 before Judge Bowler. Tape Transcribed Maryann Young. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting Maryann Young at 508/384-2003 or the Clerk's Office. (Scalfani, Deborah) (Entered: 09/07/2005) |
| 09/07/2005 | <u>50</u> | MOTION for Leave to File <i>Joint Declaration of the Biogen Investor Lead Plaintiff Group Members in Further Support of the Motion of Their Lead Plaintiff Group for Appointment as Lead Plaintiff and Approval of Selection of Lead Plaintiff's Choice of Counsel</i> by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Appendix Joint Declaration of The |









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| | | Biogen Investor Lead Plaintiff Group Members)(Gans, Nancy) (Entered: 09/07/2005) |
| 09/09/2005 | <u>51</u> | MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) by London Pensions Fund Authority, National Elevator Industry Pension Fund.(Hess-Mahan, Theodore) (Entered: 09/09/2005) |
| 09/09/2005 | <u>52</u> | MEMORANDUM in Support re <u>51</u> MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Hess-Mahan, Theodore) (Entered: 09/09/2005) |
| 09/09/2005 | <u>53</u> | AFFIDAVIT of R. Steven Aronica in Support re <u>51</u> MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Hess-Mahan, Theodore) (Entered: 09/09/2005) |
| 09/09/2005 | <u>54</u> | AFFIDAVIT of Theodore M. Hess-Mahan in Support re <u>51</u> MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) filed by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P)(Hess-Mahan, Theodore) (Entered: 09/09/2005) |
| 09/09/2005 | <u>55</u> | Joint MOTION to Change Hearing Date by Biogen Institutional Investor Group, London Pensions Fund Authority, National Elevator Industry Pension Fund.(Gans, Nancy) (Entered: 09/09/2005) |
| 09/09/2005 | | Judge Marianne B. Bowler: Electronic ORDER entered granting in part and denying in part <u>55</u> Motion to Change Hearing Date. The hearing is continued until September 23, 2005 at 10:00 a.m. No further continuances to be granted. (Bowler, Marianne) Modified on 9/12/2005 (Feeney, Eileen). (Entered: 09/09/2005) |
| 09/12/2005 | | Electronic notice rescheduling the status conference: The Status Conference has been reset for 9/23/2005 10:00 AM in Courtroom 25 before Magistrate Judge Marianne B. Bowler. (Simeone, Maria) (Entered: 09/12/2005) |
| 09/22/2005 | <u>56</u> | MEMORANDUM in Opposition re <u>51</u> MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) filed by Biogen Institutional Investor Group. (Gans, Nancy) (Entered: 09/22/2005) |
| 09/22/2005 | <u>57</u> | AFFIDAVIT in Opposition re <u>51</u> MOTION for Discovery Pursuant to 15 U.S.C. ? 78U-4(A)(3)(B)(IV) of Neil Kazaross. (Gans, Nancy) (Entered: 09/22/2005) |
| 09/22/2005 | <u>58</u> | DECLARATION of Robert N. Cappucci in Opposition to the Motion of the London Pensions Fund Authority and National Elevator Industry Pension Fund for Particularized Discovery Pursuant to 15 U.S.C. Sec. 78U-4(A)(3)(B)(IV) by Biogen Institutional Investor Group. (Gans, Nancy) |

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| | | (Entered: 09/22/2005) |
| 09/22/2005 | <u>59</u> | AFFIDAVIT in Support re <u>17</u> MOTION to Consolidate Cases , for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel of Kevin F. Dages (Further Support). (Attachments: # <u>1</u> Appendix A# <u>2</u> Exhibit 1-9# <u>3</u> Appendix B (Part 1)# <u>4</u> Appendix B (Part 2)# <u>5</u> Appendix C)(Gans, Nancy) (Entered: 09/22/2005) |
| 09/23/2005 | | Electronic clerk's notes for proceedings held before Magistrate Judge Marianne B. Bowler: Motion hearing held on 9/23/2005; <u>50</u> Motion for Leave to File <i>Joint Declaration of the Biogen Investor Lead Plaintiff Group Members in Further Support of the Motion of Their Lead Plaintiff Group for Appointment as Lead Plaintiff and Approval of Selection of Lead Plaintiff's Choic</i> filed by Biogen Institutional Investor Group, <u>22</u> Motion to Consolidate Cases and for Appointment as Lead Plaintiffs and for Approval of Selection of Lead and Liaison Counsel filed by London Pensions Fund Authority,, National Elevator Industry Pension Fund and <u>17</u> Motion to Consolidate Cases , for Appointment of Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liaison Counsel filed by Biogen Institutional Investor Group; The court hears argument in docket entry ## 17 and 22 and takes the motions under advisement; The parties will submit a proposed discovery schedule to the court; Parties do not object to docket entry # 50 and the court will allow the motion. (Digital Recording #10:00 AM-11:30 AM.) (Saccoccio, Dianalynn) (Entered: 09/23/2005) |
| 09/23/2005 | <u>60</u> | Exhibit List by Biogen Idec Inc. and London Pensions Fund Authority for the hearing held on 9/23/2005 before Magistrate Judge Marianne B. Bowler. (Saccoccio, Dianalynn) (Entered: 09/23/2005) |
| 09/23/2005 | | Judge Marianne B. Bowler: Electronic ORDER entered granting <u>50</u> Motion for Leave to File; denying <u>51</u> Motion for Discovery; granting <u>17</u> Motion to Consolidate Cases and for Appointment as Lead Plaintiff and Approval of Lead Plaintiff's Selection of Co-Lead Counsel and Liason Counsel and denying <u>22</u> as to appointment of lead counsel. (Bowler, Marianne) (Entered: 09/23/2005) |
| 10/06/2005 | <u>61</u> | NOTICE of Appearance by Shannon L. Hopkins on behalf of all plaintiffs (Hopkins, Shannon) (Entered: 10/06/2005) |
| 10/07/2005 | <u>62</u> | Objection to Order on Motion for Leave to File., Order on Motion for Discovery,, Order on Motion to Consolidate Cases., by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Affidavit DECLARATION OF FRANK PARTNOY# <u>2</u> Exhibit A)(Hess-Mahan, Theodore) Additional attachment(s) added on 10/11/2005 (York, Steve). (Entered: 10/07/2005) |
| 10/17/2005 | <u>63</u> | TRANSCRIPT of Motion Hearing held on September 23, 2005 before Judge Bowler. Digital Recording: Transcribed by Maryann Young. The original transcripts are maintained in the case file in the Clerk's Office. |

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| | | Copies may be obtained by contacting Maryann Young at 508/384-2003 or the Clerk's Office. (Scalfani, Deborah) Modified on 10/18/2005 (Scalfani, Deborah). (Entered: 10/18/2005) |
| 10/21/2005 | <u>64</u> | Assented to MOTION for Extension of Time to October 25, 2005 to File Response/Reply as to <u>62</u> Objection, by Biogen Institutional Investor Group.(Gans, Nancy) (Entered: 10/21/2005) |
| 10/25/2005 | <u>65</u> | NOTICE by Biogen Institutional Investor Group re <u>62</u> Objection. <i>Lead Plaintiff's Memorandum of Law in Opposition to The London Pensions Fund Authority's and National Elevator Industry Pension Fund's Objections to The Magistrate Judge's Lead Plaintiff Order</i> (Gans, Nancy) (Entered: 10/25/2005) |
| 10/25/2005 | <u>66</u> | NOTICE by Biogen Institutional Investor Group re <u>62</u> Objection,, <u>65</u> Notice (Other), Notice (Other) <i>Lead Plaintiff's CORRECTED Memorandum of Law in Opposition To the London Pensions Fund Authority's National Elevator Industry Pension Fund's Objections to The Magistrate Judge's Lead Plaintiff Order</i> (Gans, Nancy) (Entered: 10/25/2005) |
| 10/27/2005 | | Judge Marianne B. Bowler: Electronic ORDER entered granting <u>64</u> Motion for Extension of Time to File Response/Reply. (Bowler, Marianne) (Entered: 10/27/2005) |
| 11/02/2005 | <u>67</u> | MOTION for Leave to Appear Pro Hac Vice by Vincent R. Cappucci and Stephen D. Oestreich by Nancy Freeman Gans. (Attachments: # <u>1</u> Certification of Vincent A. Cappucci# <u>2</u> Certification of Stephen D. Oestreich)(Gans, Nancy) (Entered: 11/02/2005) |
| 11/03/2005 | | Judge Reginald C. Lindsay : ElectronicORDER entered granting <u>67</u> Motion for Leave to Appear Pro Hac Vice Added Stephen D. Oestreich for Biogen Institutional Investor Group, Vincent Roger Cappucci for Biogen Institutional Investor Group (York, Steve) (Entered: 11/03/2005) |
| 11/09/2005 | <u>68</u> | NOTICE of Appearance by Matthew J. Matule on behalf of all defendants (Matule, Matthew) (Entered: 11/09/2005) |
| 11/09/2005 | <u>69</u> | Joint MOTION Entry Of Scheduling Order by Biogen Idec Inc., William Rastetter, James Mullen.(Matule, Matthew) (Entered: 11/09/2005) |
| 11/09/2005 | <u>70</u> | NOTICE of Appearance by Michael S. Hines on behalf of all defendants (Hines, Michael) (Entered: 11/09/2005) |
| 12/12/2005 | <u>71</u> | MOTION for Leave to File <i>Transcript of Motion Hearing Before the Honorable Marianne B. Bowler United States Magistrate Judge Held On September 23, 2005</i> by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A Pages 1-19# <u>2</u> Exhibit A Pages 20-39# <u>3</u> Exhibit A Pages 40-56)(Hess-Mahan, Theodore) (Entered: 12/12/2005) |

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| 12/23/2005 |  | Judge Reginald C. Lindsay : Electronic ORDER entered granting in part and denying in part <u>69</u> Joint MOTION Entry Of Scheduling Order. The motion is granted to the extent that it proposes a schedule for filing a consolidated, amended complaint and responses thereto. The court, however, rejects the proposed schedule and orders the following: the consolidated, amended complaint must be filed not later than 30 days from entry of an order resolving the pending objection to the order of Judge Bowler appointing a lead plaintiff. Any motion to dismiss the consolidated, amended complaint must be filed not later than 30 days from the service of the consolidated, amended complaint. Oppositions to any motion to dismiss must be filed not later than 30 days from the service of the motion to dismiss. Reply briefs to the opposition may be filed only with leave of court, and any motion for leave must be filed not later than 15 days from the date of service of the opposition, together with the proposed reply. (Lindsay, DJ) (Entered: 12/23/2005) |
| 01/12/2006 |  | NOTICE of Change of Address by Nancy F. Gans (Gans, Nancy) (Entered: 01/12/2006) |
| 02/01/2006 |  | MOTION for Leave to File <i>Supplemental Authority</i> by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Exhibit A)(Hess-Mahan, Theodore) (Entered: 02/01/2006) |
| 02/08/2006 |  | Opposition re <u>73</u> MOTION for Leave to File <i>Supplemental Authority</i> <i>OPPOSITION OF THE BIOGEN INSTITUTIONAL INVESTOR GROUP TO THE MOTION OF THE LONDON PENSIONS FUND AUTHORITY AND NATIONAL ELEVATOR INDUSTRY PENSION FUND FOR LEAVE TO FILE SUPPLEMENTAL AUTHORITY</i> filed by Biogen Institutional Investor Group. (Gans, Nancy) (Entered: 02/08/2006) |
| 06/14/2006 |  | Judge Reginald C. Lindsay : Electronic ORDER entered finding as moot <u>71</u> Motion for Leave to File.; finding as moot <u>73</u> Motion for Leave to File; (Hourihan, Lisa) (Entered: 06/14/2006) |
| 07/07/2006 |  | Letter/request (non-motion) from Theodore M. Hess-Mahan <i>on behalf of Plaintiffs London Pensions Fund Authority and National Elevator Industry Pension Fund.</i> (Hess-Mahan, Theodore) (Entered: 07/07/2006) |
| 08/31/2006 |  | MOTION for Leave to Appear Pro Hac Vice by David A. Rosenfeld by London Pensions Fund Authority, National Elevator Industry Pension Fund. (Attachments: # <u>1</u> Affidavit Certification of David A. Rosenfeld)(Hess-Mahan, Theodore) Modified on 9/1/2006 (York, Steve). (fee not paid) (Entered: 08/31/2006) |
| 09/05/2006 |  | Filing fee: \$ 50. receipt number 74775 re <u>76</u> MOTION for Leave to Appear Pro Hac Vice by David A. Rosenfeld (York, Steve) (Entered: 09/05/2006) |
| 09/05/2006 |  | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>76</u> Motion for Leave to Appear Pro Hac Vice Added David A. Rosenfeld for London Pensions Fund Authority and National Elevator Industry Pension |

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| | | Fund (York, Steve) (Entered: 09/05/2006) |
| 09/13/2006 | ● | Judge Reginald C. Lindsay : Electronic ORDER entered. The objection to the Order of the Magistrate Judge Appointing Lead Plaintiffs and Lead Counsel are overruled. The ruling by the Magistrate Judge will stand as the Order of the Court.(Hourihan, Lisa) (Entered: 09/13/2006) |
| 10/13/2006 | ●77 | AMENDED COMPLAINT <i>Con solidated Class Action Complaint For Violations Of The Federal Securities Laws</i> against all defendants, filed by Lead Plaintiffs, Lead Plaintiffs.(Gans, Nancy) (Entered: 10/13/2006) |
| 10/16/2006 | ● | Summons Issued as to Burt Adelman, Thomas Bucknum, Peter N kellogg, William Rohn. (York, Steve) (Entered: 10/16/2006) |
| 11/14/2006 | ●78 | NOTICE of Appearance by James R. Carroll on behalf of Burt Adelman, Peter N kellogg, William Rohn (Carroll, James) (Entered: 11/14/2006) |
| 11/14/2006 | ●79 | Joint MOTION for Leave to File Excess Pages by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, Biogen Institutional Investor Group, James Mullen.(Carroll, James) (Entered: 11/14/2006) |
| 11/14/2006 | ●80 | NOTICE of Appearance by Matthew J. Matule on behalf of Burt Adelman, Peter N kellogg, William Rohn (Matule, Matthew) (Entered: 11/14/2006) |
| 11/14/2006 | ●81 | NOTICE of Appearance by Michael S. Hines on behalf of Burt Adelman, Peter N kellogg, William Rohn (Hines, Michael) (Entered: 11/14/2006) |
| 11/15/2006 | ●82 | MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen.(Carroll, James) (Entered: 11/15/2006) |
| 11/15/2006 | ●83 | MEMORANDUM in Support re 82 MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> filed by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # 1 Exhibit A)(Carroll, James) (Entered: 11/15/2006) |
| 11/15/2006 | ●84 | APPENDIX/EXHIBIT re 83 Memorandum in Support of Motion To Dismiss <i>The Consolidated Class Action Complaint</i> by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11# 12 Exhibit 12 (Part 1 of 4)# 13 Exhibit 12 (Part 2 of 4)# 14 Exhibit 12 (Part 3 of 4)# 15 Exhibit 12 (Part 4 of 4)# 16 Exhibit 13# 17 Exhibit 14# 18 Exhibit 15 (Part 1 of 2)# 19 Exhibit 15 (Part 2 of 2)# 20 Exhibit 16# 21 Exhibit 17# 22 Exhibit 18 (Part 1 of 2)# 23 Exhibit 18 (Part 2 of 2)# 24 Exhibit 19# 25 Exhibit 20)(Carroll, James) (Entered: 11/15/2006) |
| 11/15/2006 | ●85 | APPENDIX/EXHIBIT (<i>Publicly-Available Complete Transcript Of The March 7-8, 2006 Advisory Committee Hearings</i>) by Burt Adelman, Peter |

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| | | N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # <u>1</u> Exhibit 1 (Part 1 of 8)# <u>2</u> Exhibit 1 (Part 2 of 8)# <u>3</u> Exhibit 1 (Part 3 of 8)# <u>4</u> Exhibit 1 (Part 4 of 8)# <u>5</u> Exhibit 1 (Part 5 of 8)# <u>6</u> Exhibit 1 (Part 6 of 8)# <u>7</u> Exhibit 1 (Part 7 of 8)# <u>8</u> Exhibit 1 (Part 8 of 8)# <u>9</u> Exhibit 2 (Part 1 of 7)# <u>10</u> Exhibit 2 (Part 2 of 7)# <u>11</u> Exhibit 2 (Part 3 of 7)# <u>12</u> Exhibit 2 (Part 4 of 7)# <u>13</u> Exhibit 2 (Part 5 of 7)# <u>14</u> Exhibit 2 (Part 6 of 7)# <u>15</u> Exhibit 2 (Part 7 of 7))(Carroll, James) (Entered: 11/15/2006) |
| 11/15/2006 |  | ELECTRONIC NOTICE issued requesting courtesy copy for <u>84</u> Appendix/Exhibit,... <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> , <u>83</u> Memorandum in Support of Motion, <u>85</u> Appendix/Exhibit,.. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (York, Steve) (Entered: 11/15/2006) |
| 11/17/2006 |  | Judge Reginald C. Lindsay : Electronic ORDER entered granting in part and denying in part <u>79</u> Motion for Leave to File Excess Pages. Motion is granted to this extent. Parties may file a brief not greater than 30 pages in length, double spaced with customary margins (York, Steve) (Entered: 11/17/2006) |
| 11/20/2006 |  | <u>86</u> MEMORANDUM in Support re <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint (REVISED)</i> filed by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Carroll, James) (Entered: 11/20/2006) |
| 11/29/2006 |  | <u>87</u> MOTION for Leave to Appear Pro Hac Vice for admission of James M. Evangelista, Esquire and Stuart J. Guber, Esquire by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Certificate for Admission Pro Hac Vice by James M. Evangelista, Esquire# <u>2</u> Certificate for Admission Pro Hac Vice by Stuart J. Guber, Esquire)(Gans, Nancy) (Entered: 11/29/2006) |
| 12/01/2006 |  | Filing fee: \$ 100, receipt number 76679 for <u>87</u> MOTION for Leave to Appear Pro Hac Vice for admission of James M. Evangelista, Esquire and Stuart J. Guber, Esquire (York, Steve) (Entered: 12/01/2006) |
| 12/01/2006 |  | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>87</u> Motion for Leave to Appear Pro Hac Vice Added James M Evangelista for Biogen Institutional Investor Group, Stuart Guber for Biogen Institutional Investor Group (York, Steve) (Entered: 12/01/2006) |
| 12/15/2006 |  | <u>88</u> NOTICE of Appearance by Mark A Berthiaume on behalf of Thomas Bucknum (Berthiaume, Mark) (Entered: 12/15/2006) |
| 12/15/2006 |  | <u>89</u> STIPULATION <i>Regarding Briefing Schedule</i> by Lead Plaintiffs, Thomas Bucknum. (Berthiaume, Mark) (Entered: 12/15/2006) |

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| 12/15/2006 | <u>90</u> | NOTICE of Appearance by Timothy E. Maguire on behalf of Thomas Bucknum (Maguire, Timothy) (Entered: 12/15/2006) |
| 12/15/2006 | <u>91</u> | NOTICE of Appearance by Edward Eugene Hale, Jr on behalf of Thomas Bucknum (Hale, Edward) (Entered: 12/15/2006) |
| 12/19/2006 | <u>92</u> | Judge Reginald C. Lindsay : ELECTRONIC ENDORSEMENT re <u>89</u> Stipulation filed by Lead Plaintiffs., Thomas Bucknum. Approved. Motion to Dismiss by Bucknum due by 1/10/07. Response to motion due by 2/9/07. Any motion for leave to file reply brief due by 2/26/07 (Hourihan, Lisa) (Entered: 12/19/2006) |
| 12/22/2006 | <u>93</u> | MEMORANDUM in Opposition re <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> filed by Lead Plaintiffs. (Attachments: # <u>1</u> Exhibit 1-Chart)(Gans, Nancy) (Entered: 12/22/2006) |
| 12/28/2006 | <u>94</u> | Judge Reginald C. Lindsay : STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE. (Lindsay, Reginald) (Entered: 12/28/2006) |
| 01/04/2007 | <u>95</u> | NOTICE by Lead Plaintiffs of <i>Change of Law Firm Name</i> (Gans, Nancy) (Entered: 01/04/2007) |
| 01/05/2007 | <u>96</u> | NOTICE of Withdrawal of Appearance by Theodore M. Hess-Mahan (Hess-Mahan, Theodore) (Entered: 01/05/2007) |
| 01/10/2007 | <u>97</u> | MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> by Thomas Bucknum.(Berthiaume, Mark) (Entered: 01/10/2007) |
| 01/10/2007 | <u>98</u> | MEMORANDUM in Support re <u>96</u> MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> filed by Thomas Bucknum. (Attachments: # <u>1</u> Exhibit Exhibit A# <u>2</u> Exhibit Exhibit B)(Berthiaume, Mark) (Entered: 01/10/2007) |
| 01/11/2007 | <u>99</u> | Assented to MOTION for Leave to File <i>Reply Memorandum</i> by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # <u>1</u> Exhibit A)(Carroll, James) (Entered: 01/11/2007) |
| 01/23/2007 | <u>100</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Seth A. Brookman by Biogen Institutional Investor Group. (Attachments: # <u>1</u> Affidavit Certification For Admission Pro Hac Vice Pursuant to Local Rule 83.5.3 by Seth A. Brookman)(Gans, Nancy) (Entered: 01/23/2007) |
| 01/25/2007 | <u>101</u> | Filing fee: \$ 50. receipt number 77859 for <u>99</u> Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Seth A. Brookman (York, Steve) (Entered: 01/25/2007) |
| 01/25/2007 | <u>102</u> | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>99</u> Motion for Leave to Appear Pro Hac Vice Added Seth A Brookman for Biogen Institutional Investor Group (York, Steve) (Entered: 01/25/2007) |

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| 02/07/2007 | <u>100</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Ann E. Gittleman by Lead Plaintiffs. (Attachments: # <u>1</u> Affidavit Certification For Admission Pro Hac Vice Pursuant To Local Rule 83.5.3 of Ann E. Gittleman)(Gans, Nancy) (Entered: 02/07/2007) |
| 02/09/2007 | | Filing fee: \$ 50, receipt number 78177 for <u>100</u> Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Ann E. Gittleman (York, Steve) (Entered: 02/09/2007) |
| 02/09/2007 | | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>100</u> Motion for Leave to Appear Pro Hac Vice Added Ann E Gittleman for Biogen Institutional Investor Group (York, Steve) (Entered: 02/09/2007) |
| 02/09/2007 | <u>101</u> | MEMORANDUM in Opposition re <u>96</u> MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> filed by Lead Plaintiffs. (Gans, Nancy) (Entered: 02/09/2007) |
| 02/22/2007 | | ELECTRONIC NOTICE of Hearing on Motion. Hearing on MOTIONS to Dismiss <u>82</u> and <u>96</u> set for 3/12/2007 at 2:30 PM in Courtroom 25 before Magistrate Judge Marianne B. Bowler. (Duffy, Marc) (Entered: 02/22/2007) |
| 02/26/2007 | <u>102</u> | Assented to MOTION for Leave to File <i>a Reply Memorandum of Law in Further Support of Defendant Thomas J. Bucknum's Motion to Dismiss the Consolidated Class Action Complaint</i> by Thomas Bucknum. (Attachments: # <u>1</u> Exhibit Exhibit A)(Berthiaume, Mark) (Entered: 02/26/2007) |
| 03/12/2007 | | Electronic Clerk's Notes for proceedings held before Judge Marianne B. Bowler: Motion Hearing held on 3/12/2007 as to MOTIONS to Dismiss <u>82</u> and <u>96</u> . The motions are taken under advisement. (Duffy, Marc) (Entered: 03/12/2007) |
| 04/05/2007 | <u>103</u> | Assented to MOTION for Leave to File <i>Supplemental Authority</i> by Burt Adelman, Pcter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # <u>1</u> Exhibit A)(Carroll, James) (Entered: 04/05/2007) |
| 04/06/2007 | | Judge Marianne B. Bowler: Electronic ORDER entered granting <u>103</u> Motion for Leave to File. (Bowler, Marianne) (Entered: 04/06/2007) |
| 05/03/2007 | <u>104</u> | Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Ann K. Ritter, Esquire by Biogen Institutional Investor Group.(Gans, Nancy) (Entered: 05/03/2007) |
| 05/04/2007 | | Judge Reginald C. Lindsay : Electronic ORDER OF RECUSAL. This order is entered because the defendant has recently named, as its chief of litigation, a former colleague and current friend of Judge Lindsay. The clerk shall have this case redrawn to another judge. (Lindsay, Reginald) (Entered: 05/04/2007) |

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| 05/08/2007 | ● | Filing fee: \$ 50, receipt number 79927 for <u>104</u> Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Ann K. Ritter, Esquire (York, Steve) (Entered: 05/08/2007) |
| 05/08/2007 | ● | Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>104</u> Motion for Leave to Appear Pro Hac Vice Added Ritter for Biogen Institutional Investor Group (York, Steve) (Entered: 05/09/2007) |
| 05/09/2007 | ● | ELECTRONIC NOTICE of Reassignment. Judge William G. Young added. Judge Reginald C. Lindsay no longer assigned to case. (Sonnenberg, Elizabeth) (Entered: 05/09/2007) |
| 06/28/2007 | ● | Motions No Longer Referred to Magistrate Judge: <u>98</u> Assented to MOTION for Leave to File <i>Reply Memorandum</i> , <u>96</u> MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> , <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> , <u>102</u> Assented to MOTION for Leave to File a <i>Reply Memorandum of Law in Further Support of Defendant Thomas J. Bucknum's Motion to Dismiss the Consolidated Class Action Complaint</i> . (Paine, Matthew) (Entered: 06/28/2007) |
| 06/28/2007 | ● | ELECTRONIC NOTICE of Hearing on Motion <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> , <u>96</u> MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> : Motion Hearing set for 9/11/2007 02:00 PM in Courtroom 18 before Judge William G. Young. (Smith, Bonnie) (Entered: 06/28/2007) |
| 07/06/2007 | ● | Mail Returned as Undeliverable. Mail sent to Ann E. Gittleman. (Paine, Matthew) (Entered: 07/06/2007) |
| 07/17/2007 | ● <u>105</u> | NOTICE by Biogen Institutional Investor Group <i>Change of Law Firm Name</i> (Attachments: # <u>1</u> Certificate of Service)(Gans, Nancy) (Entered: 07/17/2007) |
| 07/31/2007 | ● | Judge William G. Young : Electronic ORDER entered granting <u>98</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document.; granting <u>102</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Smith, Bonnie) (Entered: 07/31/2007) |
| 07/31/2007 | ● <u>106</u> | REPLY to Response to Motion re <u>96</u> MOTION to Dismiss <i>the Consolidated Class Action Complaint</i> filed by Thomas Bucknum. (Berthiaume, Mark) (Entered: 07/31/2007) |
| 07/31/2007 | ● <u>107</u> | REPLY to Response to Motion re <u>82</u> MOTION to Dismiss <i>The Consolidated Class Action Complaint</i> filed by Burt Adelman, Peter N |

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| | | kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 07/31/2007) |
| 08/06/2007 | <u>108</u> | MOTION to Continue hearing on Defendants' Motion to Dismiss the Consolidated Class Action Complaint to September 19, 2007 by Lead Plaintiffs. (Attachments: # <u>1</u> Exhibit Exhibit A Lirette v Shiva Corp Order dated March 26, 1998)(Gans, Nancy) (Entered: 08/06/2007) |
| 08/08/2007 | <u>109</u> | Opposition re <u>108</u> MOTION to Continue hearing on Defendants' Motion to Dismiss the Consolidated Class Action Complaint to September 19, 2007 filed by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Carroll, James) (Entered: 08/08/2007) |
| 08/13/2007 | | Judge William G. Young : Electronic ORDER entered denying <u>108</u> Motion to Continue (Smith, Bonnie) (Entered: 08/13/2007) |
| 08/22/2007 | <u>110</u> | MOTION for Leave to File a <i>Conformed Consolidated Class Action Complaint</i> by Lead Plaintiffs. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Gans, Nancy) (Entered: 08/22/2007) |
| 09/11/2007 | | Electronic Clerk's Notes for proceedings held before Judge William G. Young : Hearing held on Motions to Dismiss. After hearing the Court,takes under advisement <u>82</u> Motion to Dismiss; takes under advisement <u>96</u> Motion to Dismiss. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 09/12/2007) |
| 09/14/2007 | <u>111</u> | Judge William G. Young : ORDER entered. The motion to dismiss brought by Biogen Idec, Inc., Burt Adelman, Peter N. Kellogg, William Rohn, William Rastetter, and James Mullen Docket No. <u>82</u> is ALLOWED. The motion to dismiss brought by Thomas Bucknum Docket No. <u>96</u> is ALLOWED. The Court will follow this Order with a memorandum to explain these rulings is greater depth. (Paine, Matthew) (Entered: 09/14/2007) |
| 09/28/2007 | <u>112</u> | MOTION for Clarification re <u>111</u> Order on Motion to Dismiss,, Pursuant to F.R.Civ.P. 59(e) by Lead Plaintiffs.(Gans, Nancy) (Entered: 09/28/2007) |
| 09/28/2007 | <u>113</u> | MEMORANDUM in Support re <u>112</u> MOTION for Clarification re <u>111</u> Order on Motion to Dismiss,, Pursuant to F.R.Civ.P. 59(e) filed by Lead Plaintiffs. (Attachments: # <u>1</u> Exhibit Flaherty v. TXU Corp. Opinion)(Gans, Nancy) (Entered: 09/28/2007) |
| 10/04/2007 | <u>114</u> | MEMORANDUM in Opposition re <u>112</u> MOTION for Clarification re <u>111</u> Order on Motion to Dismiss,, Pursuant to F.R.Civ.P. 59(e) filed by Burt Adelman, Peter N kellogg, William Rohn, Biogen Idec Inc., William Rastetter, James Mullen. (Attachments: # <u>1</u> Exhibit A)(Carroll, James) (Entered: 10/04/2007) |
| 10/04/2007 | <u>115</u> | Opposition re <u>112</u> MOTION for Clarification re <u>111</u> Order on Motion to Dismiss,, Pursuant to F.R.Civ.P. 59(e) filed by Thomas Bucknum. |

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| | | (Berthiaume, Mark) (Entered: 10/04/2007) |
| 10/15/2007 | <u>116</u> | NOTICE OF APPEAL as to <u>111</u> Order on Motion to Dismiss... by Lead Plaintiff's Filing fee \$ 455, receipt number 1704740 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 11/5/2007. (Attachments: # 1 Exhibit A-Court Order of 9/14/07)(Gans, Nancy) (Entered: 10/15/2007) |
| 10/16/2007 | <u>117</u> | TRANSCRIPT of Motion Hearing held on September 11, 2007 before Judge Young. Court Reporter: Donald E. Womack. The original transcripts are maintained by the Clerk's Office. Copies may be obtained by contacting the court reporter at womack@megatran.com or the Clerk's Office. (Scalfani, Deborah) (Entered: 10/16/2007) |
| 10/16/2007 | <u>118</u> | Supplemental Record on Appeal transmitted to US Court of Appeals re <u>116</u> Notice of Appeal. Documents included: 117 (Scalfani, Deborah) (Entered: 10/16/2007) |